

PAUL HASTINGS LLP
CHRISTOPHER H. McGRATH (*pro hac vice forthcoming*)
chrismcgrath@paulhastings.com
695 Town Center Drive, 17th Floor
Costa Mesa, California 92626-1924
Telephone: (714) 668-6200
Facsimile: (714) 979-1921
Counsel for All Defendants

PISANELLI BICE PLLC
JORDAN T. SMITH (NV Bar No. 12097)_
JTS@pisanellibice.com
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: 702.214.2100
Facsimile: 702.214.2101
Counsel for Defendant Spectrum Pharmaceuticals, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSE CHUNG LUO, Individually and on
Behalf of All Others Similarly Situated,

Plaintiffs,

v.

SPECTRUM PHARMACEUTICALS, INC.,
JOSEPH W. TURGEON, KURT A.
GUSTAFSON, and FRANCOIS LEBEL,

Defendants.

CASE NO.: 2:21-cv-01612-JAD-BNW

**STIPULATION AND [PROPOSED]
ORDER STAYING DEADLINE TO
ANSWER THE COMPLAINT**

Plaintiff Jose Chung Luo ("Plaintiff") and Defendants Spectrum Pharmaceuticals, Inc., Joseph W. Turgeon, Kurt A. Gustafson, and Francois Lebel (collectively, "Defendants," and together with Plaintiff, the "Parties"), by and through their undersigned counsel, hereby stipulate and agree as follows and jointly request that the Court enter the below Order approving this Stipulation:

WHEREAS, the Class Action Complaint for Violations of the Federal Securities Laws (the "Initial Complaint") was filed in this action on August 31, 2021; and

WHEREAS, this action is a putative private securities class action litigation subject to the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4;

1 WHEREAS, the Parties anticipate that, after the Court has designated a lead plaintiff
 2 pursuant to 15 U.S.C. § 78u-4(a)(3)(B) ("Lead Plaintiff"), the Lead Plaintiff will file an amended
 3 class action complaint;

4 WHEREAS, the Parties have simultaneously submitted a stipulation addressing the
 5 anticipated amended complaint and Defendants' deadline to respond thereto;

6 WHEREAS, the parties have met and conferred, and agree that a response from
 7 Defendants to the Initial Complaint, which will in all likelihood be superseded by a consolidated
 8 or amended class complaint filed by the Lead Plaintiff, would invite waste, duplicative effort, and
 9 needless expenditure of judicial and party resources;

10 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT:

- 11 1. Undersigned counsel for Defendants is authorized to accept, and hereby does
 12 accept, service of the summons and Initial Complaint on behalf of any yet
 13 unserved Defendants, without prejudice to or waiver of any of Defendants'
 14 defenses, objections or arguments, except as to sufficiency of service of process;
- 15 2. Defendants' time to answer, move against or otherwise respond to the Initial
 16 Complaint is stayed pending the Court's appointment of a lead plaintiff, who is
 17 anticipated to file an amended complaint.

18 DATED this 1st day of March, 2022.

19 **MUEHLBAUER LAW OFFICE, LTD.**

PISANELLI BICE PLLC

21 By: /s/ Andrew R. Muehlbauer
 22 Andrew R. Muehlbauer, Esq.
 23 7915 West Sahara Ave., Suite 104
 Las Vegas, Nevada 89117

By: /s/ Jordan T. Smith
 Jordan T. Smith, Esq., #12097
 400 South 7th Street, Suite 300
 Las Vegas, Nevada 89101

24 *Liaison Counsel for Plaintiff*

*Counsel for Defendant Spectrum
 Pharmaceuticals, Inc.*

ORDER

IT IS SO ORDERED

DATED: 10:33 am, March 02, 2022



BRENDA WEKSLER
 UNITED STATES MAGISTRATE JUDGE

POMERANTZ LLP

PAUL HASTINGS LLP

By: /s/ Thomas Przybylowski
Jeremy A. Lieberman, Esq. (*pro hac vice*)
J. Alexander Hood II, Esq. (*pro hac vice*)
600 Third Avenue, 20th Floor
New York, New York 10016

By: /s/ Christopher H. McGrath
Christopher H. McGrath, Esq.
(*pro hac vice forthcoming*)
695 Town Center Drive, 17th Floor
Costa Mesa, CA 92626-1924

Counsel for Plaintiff

Counsel for All Defendants